

# United States Bankruptcy Court

AUG 30 1990

For the NORTHERN District of IOWA

BARBARA A. EVERLY, CLERK

IN RE: RICK J. LEINBAUGH,  
Debtor.

Chapter 7

Case No. X89-00827S

FARM LAND CREDIT UNION, Plaintiff  
v.

RICK J. LEINBAUGH, Defendant

Adversary Proceeding No. X89-0134S

## JUDGMENT

☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing, upon stipulation of the parties,

### IT IS ORDERED AND ADJUDGED:

that the debt owed to the plaintiff, Farm Land Credit Union, by the defendant/debtor, Rick J. Leinbaugh, is excepted from the discharge granted to the defendant/debtor.

Plaintiff shall recover from defendant \$13,952.42 plus interest at the rate of 11% per annum commencing on the 13th day of July, 1990 until judgment is paid.

Plaintiff is also awarded a judgment for costs. Plaintiff must file bill of costs.



copies mailed with order  
8/30/90, *Em*

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BARBARA A. EVERLY

Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: 8-30-90

By: *Lane McElhenny*

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

AUG 30 1990

BARBARA A. EVERLY, CLERK

THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

IN RE	*	NO. X-89-00827-S
RICK J. LEINBAUGH	*	ADVERSARY NO. X89-0134S
S.S. No. 481-84-7044	*	
FARM LAND CREDIT UNION,	*	JUDGMENT ENTRY
Plaintiff,	*	
vs.	*	
RICK J. LEINBAUGH,	*	
Defendant.	*	

\*\*\*\*\*

NOW on this 30<sup>th</sup> day of August, 1990, this matter comes before the Court on the Joint Application of the parties. The Court finds that the parties have stipulated that there is a debt owing to Farm Land Credit Union by the Defendant, Rick J. Leinbaugh, in the sum of \$13,952.42 with interest at the rate of 11% per year from the 13th day of July, 1990. The Court further finds that the parties have stipulated that this is a debt to which the Defendant is not entitled to a discharge and that the Court upon reviewing the Application and the file herein, shall enter an appropriate Order denying Rick J. Leinbaugh a discharge with regard to the debt owing to Farm Land Credit Union pursuant to 11 U.S.C. Section 523(a)(2) (A).

The Court further finds that the cost of this matter should be taxed to the Defendant, Rick J. Leinbaugh.

THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The debt owed to the Plaintiff, Farm Land Credit Union, by the Defendant/Debtor, Rick J. Leinbaugh, for which judgment is hereinafter granted


to the Plaintiff should be and hereby is excepted from the discharge granted to the Defendant/Debtor in the above-entitled Bankruptcy case.

2. Plaintiff is awarded a judgment against the Defendant in the principal amount of \$13,952.42 plus interest at the rate of 11% per annum commencing on the 13th day of July, 1990, until such judgment is paid.


3. Plaintiff is also awarded a judgment for costs, ~~as taxed by the Clerk of Court, in the sum of \$\_\_\_\_\_.~~ *was Plaintiff must file bill of costs.*

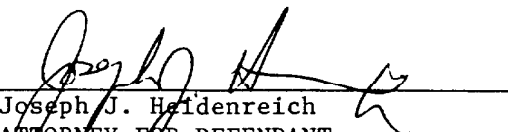
4. The Clerk of Court shall mail a copy of this Judgment Entry to the attorney for the Plaintiff and the attorney for the Defendant, the U. S. Trustee and the Interim Trustee, Donald Molstad.


IT IS SO ORDERED:

  
\_\_\_\_\_  
Judge of the U.S. Bankruptcy Court  
for the Northern District of Iowa

APPROVED AS TO FORM AND CONTENT:

  
\_\_\_\_\_  
Stephan A. Brannen  
ATTORNEY FOR PLAINTIFF,  
Farm Land Credit Union

  
\_\_\_\_\_  
Joseph J. Heidenreich  
ATTORNEY FOR DEFENDANT,  
Rick J. Leinbaugh

  
\_\_\_\_\_  
Donald Molstad,  
INTERIM TRUSTEE

*cc: Stephan Brannen  
Joseph Heidenreich  
Don Molstad  
UST  
8-30-90  
Jm*

OCT -4 1990

BARBARA A. EVERLY, CLERK

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

IN RE: CHAPTER 7  
BANKRUPTCY NO.

RICK J. LEINBAUGH Debtor(s). X89-00827S

FARM LAND CREDIT UNION,  
Plaintiff,  
vs. ADVERSARY NO.  
X89-0134S

RICK J. LEINBAUGH,  
Defendant.

ASSESSMENT OF COSTS

No objection having been filed, the following costs are assessed to the defendant, and in favor of the plaintiff herein:

Filing Fees for Clerk of Bankruptcy Court	\$120.00
Fees for service of notice	<u>4.50</u>
TOTAL	\$124.50

DATED October 4, 1990

Copy to: U.S. Trustee;  
Stephan Brannen,  
Atty for Plaintiff;  
Joseph J. Heidenreich,  
Atty for Defendant  
this October 4, 1990 mg

BARBARA A. EVERLY  
Clerk, Bankruptcy Court  
by: *Museum A. Golay*  
Deputy Clerk  
PO Box 74890  
Cedar Rapids, IA 52407

Recorded: Vol II  
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UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

IN RE:

RICK J. LEINBAUGH

Debtor.

FARM LAND CREDIT UNION,

Plaintiff,

v.

RICK J. LEINBAUGH

Defendant.

CHAPTER 7

BANKRUPTCY NO.

X-89-00827S

ADVERSARY NO.

X-89-0134S

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
SEP 14 1990  
BARBARA A. EVERLY, CLERK

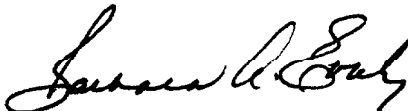
NOTICE OF STATEMENT OF COSTS

NOTICE IS GIVEN that Stephan A. Brannen, Gustafson Law Firm, has filed a Statement of Costs indicating the following costs have been incurred for the aforementioned services:

FILING FEES FOR CLERK OF BANKRUPTCY COURT	\$ 120.00
FEES FOR SERVICE OF NOTICE	\$ <u>4.50</u>
TOTAL	\$ 124.50.

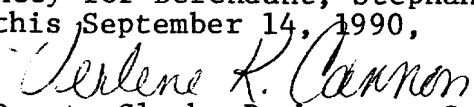
NOTICE IS FURTHER GIVEN unless objections filed with the undersigned with a copy to the Attorney for the Plaintiff on or before September 25, 1990 at 4:30 PM such costs will be assessed at that time.

DATED September 14, 1990

  
BARBARA A. EVERLY  
Clerk, Bankruptcy Court

ATTORNEY FOR PLAINTIFF:  
JOSEPH HEIDENREICH  
100 Main St.  
Odebolt, IA 51458

Copy to:  
Atty for Plaintiff, Joseph Heidenreich;  
Atty for Defendant, Stephan A. Brannen;  
this September 14, 1990,

  
Deputy Clerk, Bankruptcy Court  
P. O. Box 74890  
Cedar Rapids, IA 52407

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

SEP 12 1990

BARBARA A. EVERLY, CLERK

THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

IN RE: \* CHAPTER 7  
RICK J. LEINBAUGH, \* Case No. X89-00827-S  
Debtor. \* Adversary No. X89-0134S  
\*  
FARM LAND AREA CREDIT UNION, \*  
Plaintiff, \* BILL OF COSTS  
vs. \*  
RICK J. LEINBAUGH, \*  
Defendant. \*

\*\*\*\*\*  
TO: Joseph Heidenreich, 100 Main Street, Odebolt, Iowa, 51458  
Attorney for Defendant

Notice is given that the following Bill of Costs will be presented  
to Bankruptcy Court at the following place and time:

Barbara A. Everly, Clerk  
Bankruptcy Court  
800 The Center  
425-2nd Street S.E.  
P.O. Office Box 74890  
Cedar Rapids, Iowa 52407  
Room: 8th Floor  
U.S. Courthouse, Cedar Rapids, Iowa  
Date: September 14, 1990  
Time: 9:00 A.M.

Judgment was entered in the above-entitled action on August  
30, 1990, against Rick J. Leinbaugh, Debtor.

The Bankruptcy Clerk of Court is requested to tax the following  
as costs:

Filing fees to Clerk of Court	\$120.00
Fees for the service of Notice	\$4.50
TOTAL:	<u>\$124.50</u>

DECLARATION.

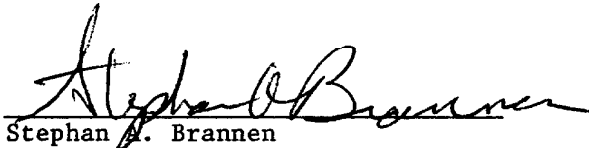
I, attorney for Farm Land Area Credit Union, Plaintiff herein, declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action, that the services for which fees have been charged or actually and necessarily performed, and that a copy of this Bills of Costs was mailed this day with postage fully prepaid to Josph J. Heidenreich, 100 Main Street, Odebolt, Iowa, 51458, Attorney for Rick J. Leinbaugh.

Dated this 11 day of September, 1990.

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served on all parties appearing herein by (mailing from Denison, Iowa) (delivering) a true copy of the same to the parties at the addresses shown below on the 11 day of Sept., 19 90

Branda Littman  
Mr. Joseph Heidenreich  
100 Main Street  
Odebolt, Iowa 51458

  
Stephan A. Brannen  
Gustafson Law Firm  
27 South Main Street  
Denison, Iowa 51442  
712/263/6475

Costs are taxed in the following amount and included in the

Judgment:

\$ \_\_\_\_\_

\_\_\_\_\_  
Clerk of Bankruptcy Court

Date: \_\_\_\_\_

BY: \_\_\_\_\_  
Deputy Clerk

Copy mailed to:  
S. Brannen &  
J. Heidenreich;  
this 9-14-90, vc.

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

IN RE:

RICK J. LEINBAUGH

Debtor.

FARM LAND CREDIT UNION,

Plaintiff,

v.

RICK J. LEINBAUGH

Defendant.

CHAPTER 7

BANKRUPTCY NO.

X-89-00827S

ADVERSARY NO.

X-89-0134S

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
SEP 14 1990  
BARBARA A. EVERLY, CLERK

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FEES FOR SERVICE OF NOTICE	\$ <u>4.50</u>
TOTAL	\$ 124.50.

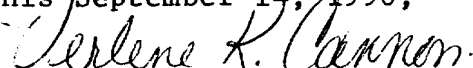
NOTICE IS FURTHER GIVEN unless objections filed with the undersigned with a copy to the Attorney for the Plaintiff on or before September 25, 1990 at 4:30 PM such costs will be assessed at that time.

DATED September 14, 1990

  
BARBARA A. EVERLY  
Clerk, Bankruptcy Court

ATTORNEY FOR PLAINTIFF:  
JOSEPH HEIDENREICH  
100 Main St.  
Odebolt, IA 51458

Copy to:  
Atty for Plaintiff, Joseph Heidenreich;  
Atty for Defendant, Stephan A. Brannen;  
this September 14, 1990,

  
Deputy Clerk, Bankruptcy Court  
P. O. Box 74890  
Cedar Rapids, IA 52407

(This not recorded)  
re.  
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FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

SEP 12 1990

BARBARA A. EVERLY, CLERK

THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA  
WESTERN DIVISION

IN RE: \* CHAPTER 7  
RICK J. LEINBAUGH, \* Case No. X89-00827-S  
Debtor. \* Adversary No. X89-0134S  
\*  
FARM LAND AREA CREDIT UNION, \*  
Plaintiff, \* BILL OF COSTS  
vs. \*  
RICK J. LEINBAUGH, \*  
Defendant. \*

\*\*\*\*\*  
TO: Joseph Heidenreich, 100 Main Street, Odebolt, Iowa, 51458  
Attorney for Defendant

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Barbara A. Everly, Clerk  
Bankruptcy Court  
800 The Center  
425-2nd Street S.E.  
P.O. Office Box 74890  
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Room: 8th Floor  
U.S. Courthouse, Cedar Rapids, Iowa  
Date: September 14, 1990  
Time: 9:00 A.M.

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Fees for the service of Notice	\$4.50
TOTAL:	<u>\$124.50</u>

*File  
(Not recorded  
re.  
Vol II  
Page 230*

DECLARATION.

I, attorney for Farm Land Area Credit Union, Plaintiff herein, declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action, that the services for which fees have been charged or actually and necessarily performed, and that a copy of this Bills of Costs was mailed this day with postage fully prepaid to Joseph J. Heidenreich, 100 Main Street, Odebolt, Iowa, 51458, Attorney for Rick J. Leinbaugh.

Dated this \_\_\_\_\_ day of September, 1990.

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served on all parties appearing herein by (mailing from Denison, Iowa) (delivering) a true copy of the same to the parties at the addresses shown below on the 11 day of Sept., 19 90

Stephan A. Brannen  
Mr. Joseph Heidenreich  
100 Main Street  
Odebolt, Iowa 51458

Stephan A. Brannen  
Stephan A. Brannen  
Gustafson Law Firm  
27 South Main Street  
Denison, Iowa 51442  
712/263/6475

Costs are taxed in the following amount and included in the

Judgment:

\$ \_\_\_\_\_

\_\_\_\_\_  
Clerk of Bankruptcy Court

Date: \_\_\_\_\_

BY: \_\_\_\_\_  
Deputy Clerk

Copy mailed to:  
S. Brannen &  
J. Heidenreich;  
this 9-14-90, vc.

OFFICE OF THE CLERK  
OF

United States Bankruptcy Court

FOR THE NORTHERN DISTRICT OF IOWA

Memorandum

September 6, 1990

TO: Stephan A. Brannen  
27 South Main  
Denison, IA 51442

RE: Farm Land Credit Union  
v. Leinbaugh X89-0134S

In response to your call today, in addition to the filing fee, which you have already paid on 7/28/89 of \$120.00; there is a reimbursement charge for notices in the Adversary file which you are required to pay:

9 Notices at 50¢ each \$4.50

Please make your check payable to the Clerk of the Bankruptcy Court.

Thank you.

*Marion A. H. Day*  
Deputy Clerk

BARBARA A. EVERLY, CLERK, BANKRUPTCY COURT  
800 THE CENTER, 425-2ND STREET SE  
P.O. BOX 74890  
CEDAR RAPIDS, IOWA 52407  
PHONE: 319/362-9696

*Copy for Judgment Record File*